

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

AFFINITY LABS OF TEXAS LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., et al.,

Defendants.

Case Nos.: 14-CV-2717 YGR

**ORDER GRANTING MOTION TO RELATE
CASES, SETTING CASE MANAGEMENT
CONFERENCE**

The above-styled case originated in the Eastern District of Texas ("Eastern District") as E.D. Tex. Case No. 1:12-cv-00557-RC ("*Samsung I*"), but was conditionally transferred here pending the Eastern District's entry of a claim construction order. The Clerk of this Court opened a miscellaneous case, N.D. Cal. Case No. 13-mc-80209, to serve as an administrative placeholder for the conditionally transferred case. That miscellaneous case was assigned to the undersigned judge.

On June 11, 2014, this Court, having been apprised of the Eastern District's entry of the anticipated claim construction order, ordered the Clerk to assign a civil case number to the miscellaneous case, signifying this Court's having taken jurisdiction of *Samsung I*. (See Dkt. No. 48.) The Clerk converted N.D. Cal. Case No. 13-mc-80209 into N.D. Cal. Case No. 14-cv-2717.

Following those events, the docket of *Samsung I* was electronically transferred to this Court, where it was assigned N.D. Cal. Case No. 14-cv-2966. Thus, *Samsung I* now has, in effect, two

case numbers in this Court: 14-cv-2717 and 14-cv-2966. Both are assigned to the undersigned judge.

In parallel proceedings, the Western District of Texas ("Western District") ordered the transfer of two similar but separate actions to this Court, both involving plaintiff Affinity Labs of Texas LLC ("Affinity Labs"). (*See* Dkt. No. 53, Exs. B & C.) Those two actions are W.D. Tex. Case No. 6:13-cv-00364-WSS ("*Samsung II*") and W.D. Tex. Case No. 6:13-cv-00362-WSS ("*Blackberry*"). Both cases have since been assigned civil case numbers by the Clerk of this Court: *Samsung II* is now N.D. Cal. Case No. 14-cv-3030-JSC (Corley, J.) and *Blackberry* is now N.D. Cal. Case No. 14-cv-3031-PSG (Grewal, J.).

Now before the Court is an administrative motion to relate *Samsung II* and *Blackberry* to the above-styled case. (Dkt. No. 51.)¹ The motion, being unopposed (*see* Dkt. No. 52 at 1) and good cause appearing, is **GRANTED**. The Court also **RELATES** N.D. Cal. Case No. 14-cv-2966-YGR to the above-styled case.

To streamline the Court's docket management, Case No. 14-cv-2717 shall serve as the lead case. All documents shall be filed in that case's docket.

The Court sets a case management conference on its 2:01 p.m. Calendar on **Tuesday, August 5, 2014**, in Courtroom 1 of the United States Courthouse located at 1301 Clay Street in Oakland, California. The parties in all related cases shall file a single, **joint** case management conference statement at least seven days in advance of the case management conference. The statement must include all elements requested in the "Standing Order for All Judges of the Northern District of California – Contents of Joint Case Management Statement."

As set forth in the undersigned judge's Standing Order in Civil Cases, these conferences are intended to be substantive and productive. Accordingly, each party shall be represented at the Case Management Conference by counsel with authority to enter into stipulations and make admissions pursuant to Fed. R. Civ. P. 16(a) and (c), as well as fully prepared to address all of the matters

¹ Also before the Court is a motion to stay this action pending *inter partes* review and other proceedings before the United States Patent and Trademark Office. (Dkt. No. 54.) That motion not yet being ripe, this Order addresses only the motion to relate cases.

1 referred to in the CAND CMC Order and Civil L.R. 16-10(b). Failure to do so shall be considered
2 grounds for sanctions.

3 This Order terminates Docket No. 51 and relates case numbers 14-cv-2966-YGR, 14-cv-
4 3030-JSC, and 14-cv-3031-PSG to 14-cv-2717-YGR.

5 **IT IS SO ORDERED.**

6
7 Date: July 8, 2014



YVONNE GONZALEZ ROGERS

UNITED STATES DISTRICT COURT JUDGE

United States District Court
Northern District of California